
IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Application Number: 10/599,107
Filed: September 19, 2006
Applicants: George H. Tagawa, Kenneth K. Tagawa, Randall E. Tagawa,
and Fred Naylor Blackmore, Jr.
Title: Plant Punch Methods and Apparatus
Art Unit: 3643
Examiner: Son T. Nguyen
Assignee: Tagawa Greenhouse Enterprises, LLC
Attorney Docket: TGI-Shifter-USNP
Customer No.: 33549
Confirmation No.: 4215

**RESPONSE TO OFFICE ACTION, INCLUDING EXPLANATION AND
AMENDMENT TO THE SPECIFICATION AND CLAIMS, UNDER 37 CFR §1.111**

Introductory Comments:

I. INTRODUCTION

This Response is in reply to an Office Action dated April 14, 2010 in the above-captioned case. A shortened statutory period of three months has been set, making a response to this action due on or by July 14, 2010. The Applicant is requesting that this time period be extended for two months to and including September 14, 2010, and has included a Petition for Extension of Time along with the prescribed fee. This response is made in accordance with 37 C.F.R. § 1.121 using the format with each heading beginning on a separate page.

Additionally, in response to the office action dated April 14, 2010, the Assignee has filed, in a separate document, a Petition under 37 CFR §1.78(a)(3), including related

documents, with the Office of Petitions on September 9, 2010. Assignee expects that said petition will eliminate US Pub. No. 2003/0029087 as a reference (of course, the Office April 2010 office action relied, in part, on US Pub. No. 2003/0029087 in rejecting claims). In large part, for this reason, said petition forms a part of this reply to office action.

It is of note that the Assignee has herein amended the specification to correct the priority claim as desired. Presumably, the Office would only make this amendment, and indeed, reconsider the application in view of this reply, upon a grant of the Petition under 37 CFR §1.78(a)(3) by the Office of Petitions. The Office is asked to kindly make the amendments indicated herein and reconsider the application.

Assignee would also take this opportunity to thank the Examiner for taking the time to speak with the undersigned on August 17, 2010 during a personal interview. Examiner Son Nguyen and Al Wiedmann Jr. were present at the interview; no agreement was reached as a result of that interview and no exhibits were presented.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Remarks begin on page 17 of this Paper.